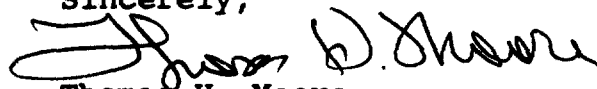


February 2, 1993

the video marketplace and put an end to discrimination against the non-cable video marketplace.

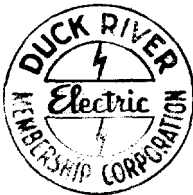
Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas H. Moore", written in a cursive style.

Thomas H. Moore  
Executive Vice President

THM:ps

cc: Office of the Secretary, FCC



EX PARTE OR LATE FILED

1411 MADISON STREET P. O. Box 89  
SHELBYVILLE, TENNESSEE 37160  
PHONE 615 684-4621

February 2, 1993

RECEIVED

[FEB 17 1993]

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable Irvin S. Duggan, Commissioner  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am General Manager of Duck River Electric Membership Corporation, a consumer-owned, not-for-profit rural cooperative that provides electric service to more than 48,000 consumers in south central Tennessee. In our part of Tennessee, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it--a difference in price that is completely unjustifiable.

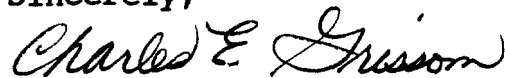
This cooperative, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it also is an ongoing problem which robs hundreds of dollars

per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Tennessee, I hope your final rule fulfills this obligation.

Sincerely,

A handwritten signature in cursive script that reads "Charles E. Grissom".

Charles E. Grissom  
General Manager

CEG/kba

EX PARTE OR LATE FILED



FOX CREEK RURAL ELECTRIC  
COOPERATIVE CORPORATION  
P.O. BOX 150 - 1200 VERSAILLES ROAD  
LAWRENCEBURG, KY 40342 - 502/839-3442

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

February 2, 1993

IRVIN S DUGGAN, COMMISSIONER  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M ST NW  
WASHINGTON DC 20554

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of the Fox Creek Rural Electric Cooperative, a consumer owned, not for profit rural utility that provides electric service to some 8,600 consumers located in eight counties in central Kentucky. In our part of Kentucky there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it - a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars and cents issue. And it is completely unnecessary, it costs cable owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite tv-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Kentucky I hope your final rule fulfills this obligation.

FOX CREEK RURAL ELECTRIC  
COOPERATIVE CORPORATION

*Bob Kincer*

Bob Kincer  
General Manager



EX PARTE OR LATE FILED

# Clark Electric Cooperative

124 North Main Street  
Greenwood, Wisconsin 54437  
Telephone (715) 267-6188  
February 4, 1993

RECEIVED

[FEB 17 1993]

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable Irvin S. Duggan  
Federal Communications Commission  
1919 M St. N. W.  
Washington, DC 20554

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Clark Electric Cooperative, a consumer-owned, not-for-profit rural utility that provides electric service to 7,000 consumers in Clark, Taylor, Marathon, Wood and Chippewa counties. In our part of Wisconsin there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it - a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue, and it is completely unnecessary. It costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundred of dollars per year from each of my satellite TV-watching neighbors and consumers.

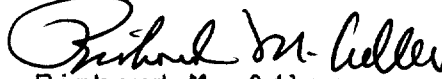
Page 2

Honorable Irvin S. Duggan  
Federal Communications Commission  
1919 M St. N.W.  
Washington, DC 20554

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Wisconsin, I hope your final rule fulfills this obligation.

Cooperatively yours,

CLARK ELECTRIC COOPERATIVE

  
Richard M. Adler  
General Manager

RMA:vjm

cc: Office Of the Secretary, FCC

**PARK REGION** Mutual Telephone Co.Underwood, Minnesota 56586 (218) 826-6161  
Fergus Falls, Minnesota 56537 (218) 736-2887January 29, 1993 **RECEIVED**

The Honorable Mr. Duggan, Commissioner  
Federal Communications Commission  
1919 M St NW  
Washington, DC 20554

**FEB 17 1993**  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Mr. Duggan;

We are writing to express concern over the NPRM release December 24, 1992, specifically Section 19-programming access.

Park Region Telephone is a rural Minnesota company serving 3700 subscribers in the west central lakes area. The vast majority of our subscribers do not have access to cable television due to the high cost of construction and lack of density. Our company, through national distributors such as NRTC, has been trying to serve these residences with satellite receivers. However, due to discriminatory high rates charged by many of the programmers (up to five times that charged to cable companies), many of our residents cannot afford to invest in the service.

We urge you to revisit the intent of Congress and, supported by our rural Minnesota residents, to issue regulations which will end existing programmer discrimination in the marketplace. On behalf of the thousands of home satellite dish owners living in Minnesota and throughout the country, please don't stall this already multi-year problem any longer.

Sincerely,

Paul Hoff  
General Manager/CEO

PH/hh



EX PARTE OR LATE FILED

1. JCH/AJ2 - response?  
RECEIVED



**Iowa Lakes Electric Cooperative** EX PARTE OR LATE FILED

1724 Central Avenue  
P.O. Box 77  
Estherville, Iowa 51334-0077

February 4, 1993

FEB 17 1993  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

J. Bruce Bosworth  
General Manager  
(712) 362-2694

The Honorable Irvin S. Duggan, Commissioner  
Federal Communications Commission  
1919 M St. NW  
Washington, D.C. 20554

RE: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am concerned about the Notice of Proposed Rule Making (NPRM) that was published on December 24th, especially the parts dealing with the Section 19 programming access provisions of the cable bill passed in the last session of Congress.

I am the Director of Government Relations of Iowa Lakes Electric Cooperative. Our Cooperative is a customer-owned, not for profit, electric utility providing service to about 11,200 customer-owners in eight counties in rural northwest Iowa. We also provide satellite programming packages to 860 customers over the same service area. The only way these customers can receive their television programming is through a home satellite dish.

These customers have been paying discriminatory high rates for their television programming. The price discrimination exists in the wholesale cost. The programmers are charging an average of five times the price charged to cable operators. This price difference cannot be justified. This was confirmed in an FCC report released June 5, 1991 which said that "...there are significant disparities in some of the prices charged by some carriers to home dish distributors as compared to the prices charged to cable companies and other customers for superstation and network station programming," and that "in some cases, these rate disparities are not fully supported by documented costs or adequately justified by the record."

On announcing the report on May 9th, 1991 FCC Chairman Alfred Sikes said, "We will provide (the report) to Congress. I think that they will be troubled by some of the unwarranted price discrimination and we'll see what steps are taken thereafter." The step Congress took was to pass the cable bill. The Section 19 programming access provisions were adopted to protect our customers from the cable industry's unnecessary price-gouging. The fact that such price discrimination exists was well documented in hearings before the Congress and even by the FCC.

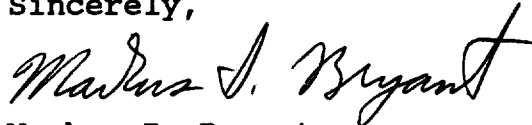


The Honorable Irvin S. Duggan, Commissioner  
February 4, 1993  
Page Two

Therefore, I am puzzled by the NPRM provisions that harm against the dish market would have to be established before the FCC could issue regulations to correct it. It already has been established that harm exists. That is why Congress adopted the Section 19 programming access provisions in the cable bill. I also am concerned that the NPRM suggests the FCC is in favor of allowing all existing programming contracts to remain valid, and imposing regulations only on contracts that are hammered out after the new rule goes into effect. We are opposed to any concept which would allow programming price and access discrimination to continue under existing contracts.

I write to ask you to review the NPRM against the mandate entrusted to you by Congress, which is to issue regulations which will encourage competition in the video marketplace and bring an end to the all existing and future unjustifiable discrimination against the noncable video marketplace by cable-owned programmers. Our rural northwest Iowa customers are watching this issue closely. We are looking forward to the FCC fulfilling the congressional mandate by issuing final regulations that will end this unwarranted discrimination in programming access and pricing.

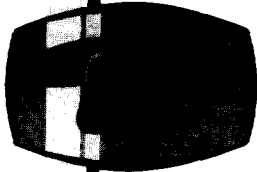
Sincerely,



Markus I. Bryant  
Director of Management Services  
and Government Relations

MIB:blj

c: Office of the Secretary, FCC



**PANORA COOPERATIVE TELEPHONE  
ASSOCIATION, INC.**

**515/755-2424 • Panora, Iowa 50216**

January 29, 1993

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable Irvin S. Duggan, Commissioner  
Federal Communications Commission  
1919 M St. N.W.  
Washington, DC 20554

Re: MM Docket No. 92-265, Program Access

Dear Irvin S. Duggan, Commissioner:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the General Manager of Panora Cooperative Telephone Association, Inc., service to 1,510 consumers in Panora service area of Guthrie County, Iowa. We are also a cable television company not for profit that serves the residential areas of Panora, Linden, and Yale, but we are not able to serve our rural areas due to the high cost and remoteness of some of our subscribers. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it---a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed we were understandably pleased and hopeful that the discrimination would stop.

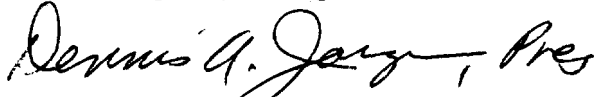
This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And it is completely unnecessary; it costs cable-owned

programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Iowa, I hope your final rule fulfills this obligation.

Sincerely,

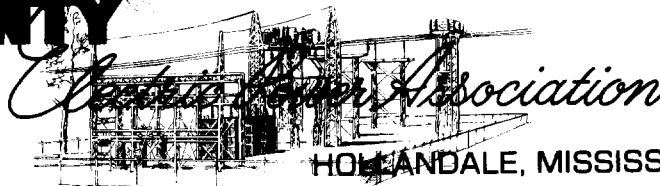
Dale G. Grotjohn, Manager

A handwritten signature in cursive script, reading "Dennis A. Jorgensen, Pres".

by: Dennis A. Jorgensen, President  
Panora Cooperative Telephone Associations, Inc.

# TWIN COUNTY

EX PARTE OR LATE FILED



HOLLANDALE, MISSISSIPPI 38748-0158

P. O. BOX 158  
TELEPHONE: 827-2262  
BRANCH OFFICES  
BELZONI AND ROLLING FORK

February 5, 1993

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

The Honorable Irvin S. Duggan, Commissioner  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, DC 20554

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the Director of Public Relations of Twin County Electric Power Association, a consumer-owned, not-for-profit rural utility that provides electric service to 12,128 consumers in west-central Mississippi. In our part of Mississippi there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on average five times more than what cable operators pay for it--a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

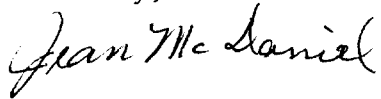
This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollar-and-cents issue. And it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing program which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an

Hon. Irvin S. Duggan  
Page 2  
February 5, 1993

end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural Mississippi I hope your final rule fulfills this obligation.

Sincerely,

A handwritten signature in cursive script that reads "Jean McDaniel".

Jean McDaniel  
Director of Public Relations

JM/atb

3615 N. Broadway  
PO Box 2027  
Minot, ND 58702-2027



Phone: 701/722-3711  
Fax: 701/722-2290

RECEIVED

FEB 17 1993

February 5, 1993

The Honorable Irvin S. Duggan, Commissioner  
Federal Communications Commission  
1919 M St. N.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the TV Division Supervisor of Souris River Telecommunications, a consumer-owned, not-for-profit rural utility that provides telephone service to approximately 12000 farmers, ranchers and small town residents in a 10,000 square mile rural area in northwest North Dakota. We also provide cable TV service to approximately 1000 customers in 14 of these small communities and provide sales, service and signal authorization for about 2000 satellite TV system owners throughout rural northwest North Dakota.

The only access most of our rural area consumers have to the educational and entertainment services offered on cable TV systems is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is considerably more than what cable operators pay for it - a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

This is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. Our rural consumers really have no choice and it is completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV watching neighbors and consumers.

I urge you to once again review the duty the U.S. Congress charged you with: namely, to issue regulations which will encourage competition in the video marketplace and bring an end to the unjustifiable discrimination against the non-cable video marketplace by cable-owned programmers. On behalf of the thousands of home satellite dish owners living in rural North Dakota, I hope your final rule fulfills this obligation.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Traiser", written in a cursive style.

David Traiser  
TV Division Supervisor





# Rusk County Electric Cooperative, Inc.

EX PARTE OR LATE FILED

P.O. Box 1169, Henderson, Texas 75653-1169  
Office: 3162 Highway 43 East • Phone: (903) 657-4571  
Richard T. Mills, Jr., General Manager

January 29, 1993

The Honorable Irvin S. Duggan, Commissioner  
Federal Communications Commission  
1919 M St. N.W.  
Washington, DC 20554

Re: MM Docket No. 92-265, Program Access

Dear Mr. Duggan:

I am writing you to express my concern about the Notice of Proposed Rule Making that was released on December 24, specifically as it pertains to the Section 19 programming access provisions of the recently-passed cable bill.

I am the Manager of Member Services of Rusk County Electric Cooperative, a consumer-owned, not-for-profit rural utility that provides electric service to 12,500 consumers who live in portions of five counties (Rusk, Gregg, Nacogdoches, Panola & Shelby Counties). In our part of Texas, there are many consumers for whom cable service is unavailable due to their remoteness. The only way these consumers can receive television is by using a home satellite dish. Until now, these home satellite dish owners have been paying discriminatorily high rates for much of the programming they receive over their dish. The cost for this programming to home satellite dish distributors is on the average five times more than what cable operators pay for it -- a difference in price that is completely unjustifiable.

My utility, along with hundreds of utilities like it around the country, worked long and hard to secure the inclusion of the cable bill's Section 19 programming access provisions in order to protect our consumers from the cable industry's price-gouging. When the bill passed, we were understandably pleased and hopeful that the discrimination would stop.

That is why we are concerned by the tone of your NPRM on the subject. By writing this letter, I hope to impress upon you the reality of this price discrimination. For our consumers, it really is a dollars-and-cents issue. And is it completely unnecessary; it costs cable-owned programmers and satellite carriers no more to serve the rural home dish market than the urban cable market. In your NPRM, you indicated that harm against the dish market would have to be established before the FCC could issue regulations to correct it. I assure you that this harm not only exists, but that it is also an ongoing problem which robs hundreds of dollars per year from each of my satellite TV-watching neighbors and consumers.

## OFFICERS:

TRAVIS WALL  
President

SAM ALLISON  
Vice-President

JOHN STILL  
Secretary-Treasurer

SID ASHBY  
Assistant  
Secretary-Treasurer

## DIRECTORS:

CLIFTON BEAVERS  
TRENTON JONES

RECEIVED

FEB 17 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

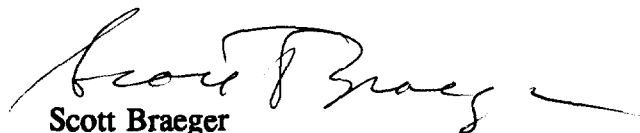
"Owned By Those We Serve"

Commissioner Irvin Duggan

February 2, 1993

Page 2

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Scott Braeger", followed by a horizontal line.

Scott Braeger  
General Manager

rms